

Leveraging Local Elections to Advance Somalia's Transition to a Multiparty Democratic System

Somalia has emerged from two decades of statelessness to now being described as a 'fragile state'. This development led the international community and financial institutions to re-establish political and economic relations, and pressure has increased for Somalia to hold direct multiparty elections. However, given past obstacles to implementing federal-level direct elections, it remains unclear how this can be achieved. We explore how Somalia can implement a successful transition to multiparty system elections. We argue that first holding local (district- and state-level) elections can bring Somalia closer to multiparty elections at the federal level. We conclude with recommendations for Somalia's federal government and international partners on the critical first steps in the transition to multiparty elections.

Brief Points

- While there is consensus among Somalis and international partners that Somalia should shift from indirect to direct multiparty elections, there is no consensus on *how* this transition is to be achieved.
- Elections are generally sensitive and could lead to political instability. Somalia thus needs a detailed and carefully designed plan for this transition.
- Somali political actors should simultaneously address *political* and *technical* challenges constraining free, fair, and transparent elections at all levels.
- It is politically less risky and technically more practical to start Somalia's transition to multiparty elections at the local (district and state) level.
- When designing its transition to direct elections, Somalia should draw on lessons learned from the 1960–69 period.

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Introduction

Somalia gained independence in 1960 and adopted multiparty elections. However, this democracy was short lived as the military took power in 1969, initiating the increasingly authoritarian rule of Mohamed Siad Barre which lasted for 21 years (Huliaras, 2002). Between 1969 and 1990, Somalia became a single-party Marxist-Leninist state, followed by a decade of chaos. In 2000, after ten years of statelessness, clan delegates agreed to install an indirect election system based on a clan power-sharing formula (the so-called 4.5 system, which represents four major clans plus the minority clans).

The federal government of Somalia (FGS) was established in 2012 following the end of the transitional federal government (TFG). It consists of five federal member states (FMS) – Puntland, South West, Hirshabelle, Jubaland, Galmudug – and the Banadir regional administration (BRA). Somaliland unilaterally declared its independence from Somalia in 1991, but it is internationally recognized as a semi-autonomous region of Somalia.

The federal government of Somalia, its federal member states and the Banadir administration currently conduct indirect federal elections, where one-person-one-vote does not take place and political parties do not contest.¹ Instead, delegates chosen by clan elders elect 275 lower house parliamentarians and the parliaments of the federal member states elect 54 upper house Senators. The total 329 federal legislators then vote for a President who in turn appoints a Prime Minister (PM), who also appoints executives based on the clan-based power-sharing formula. Two indirect electoral bodies manage the indirect elections: the Federal Indirect Electoral Implementation Team (FIEIT) and State Indirect Electoral Implementation Team (SIEIT).

However, since 2017, indirect elections have become a subject of debate (Elmi, 2021). As democratization in Africa is closely linked to the conditionalities of international financial institutions such as the World Bank and the International Monetary Fund (IMF) (Faure & Lane, 1996: 34), the pressure has increased on Somalia to transition from the indirect electoral system to a direct multiparty election system.

Being seen to comply with this pressure allows Somalia to reinforce its recently re-established

relations with international financial institutions and to access their financing. Furthermore, there is a growing public disdain for the clan-based indirect elections, at federal and federal member state levels. This general expectation was summarized by a civil society actor interviewed for this research, who argued:

In Somalia, the public is yearning for multiparty democratic elections. The political class also want multiparty elections, at least in principle.

Somalia's President Hassan Sheikh Mohamud, re-elected in May 2022 after serving in the same role from 2012 to 2017, promised direct elections by 2026. In 2016, the President had similar ambitions to hold elections based on universal suffrage² but did not succeed. His successor, Mohamed Abdullahi Mohamed ('Farmajo'), also failed to achieve his ambitions to hold direct multiparty elections in 2020.

In this policy brief, we explore how Somalia can implement a successful transition to a multiparty system in 2026. Our analysis draws on 21 in-depth interviews conducted in Hargeisa (Somaliland) and Garowe (Puntland) between

May and July 2022 with politicians, academics, civil society, and senior electoral officials. Our selection of the study sites is based on the fact that Somaliland has held direct multiparty elections since 2002, while Puntland conducted successful multi-party elections in three districts in October 2021 and plans to hold more district-level direct elections in 2023.

Why Have Previous Attempts to Install Direct Multiparty Elections Failed?

Although the two previous federal governments promised direct multiparty elections, they could not deliver on this pledge. Key factors that explain the failure to implement direct multiparty elections were 1) political infighting and distrust between political leaders; 2) a weak electoral body that was not independent from the government; and 3) a lack of security.

Political mistrust

First, unhealthy political competition exists between local and federal government leaders and politicians seeking key federal political positions. This has created a political atmosphere unsuitable for implementing direct multiparty elections. Key politicians and the leaders of the



Photo: AMISOM / Tobin Jones, via Flickr



An electoral official checks delegates' identification cards. Photo: AMISOM / Awil Abukar, via Flickr

five FMS frequently accused the leaders of the FGS of having ulterior motives for pushing direct elections, such as plans to manipulate the results or to conduct sham elections.

Somalia's two previous federal leaders started the implementation of direct elections towards the end of their terms in office. This resulted in them being accused of using such elections in a strategic bid to extend their term. For example, former president Farmajo sought and was granted a two-year extension by the lower house parliamentarians but was later forced to abandon this extension by local politicians supported by a fraction of the security forces. The federal leaders frequently use the state apparatus to intimidate the opposition, intensifying the deep-seated fear and mistrust among some of the federal member states, politicians and clans.

Weak electoral body

Second, Somalia's National Independent Electoral Commission (NIEC), established in 2015, is not structured as an independent and non-political institution. Upon its establishment, the opposition considered it an organization whose leadership and operations were closely regulated by incumbent federal leaders. Furthermore, Somalia currently lacks an

established electoral infrastructure, such as voter registration, electoral boundaries and legal frameworks.

Lack of security

Third, Somalia's two previous federal leaders made little progress in stabilizing the country, particularly in pushing Al-Shabaab out of strategic towns and villages to facilitate multiparty elections. It was inconceivable how a direct multiparty election would be possible while a vast part of the country was ungoverned by the government.

Holding District- and Federal Member State-Level Direct Elections First

There seems to be a consensus among Somalis and international partners to shift to direct elections within a multiparty democracy. However, there is no consensus on *how* Somalia can successfully shift from indirect elections to direct multiparty elections. While Somalia's two previous federal governments, with the support of international partners, attempted to implement direct federal-level elections, some argue that it would be more achievable to initiate the transition at the level of the federal member states. For example, one interviewed academic in Garowe contended:

Federal-level direct election is a hard option; it requires enormous resources and energy. I believe that elections can be easily started from the bottom up (federal member state level), and then moved to the federal level.

The research participants were in agreement that implementing federal-level direct elections before direct elections in federal states is a risky endeavour. Somalia lacks election infrastructure, as it has not conducted direct elections for over five decades. Furthermore, it is a post-conflict context where mistrust between stakeholders remains high. These are recipes for election crisis.

Election-related risks could be avoided if the elections infrastructure is first put in place at the federal member state level. Commenting on the importance of minimizing such risks, one interviewed academic argued:

If something goes wrong, the impact will be lesser when the election infrastructure exists at the federal member state level. But if the direct election is started at the federal level, anything that goes wrong can have serious ramifications.

Elections are generally sensitive and could lead to political instability. Therefore, Somalia's transition to direct multiparty elections needs to be designed and implemented carefully.

Holding elections at the FMS level, before the federal government level, may not only contribute to the building of election infrastructure at the state level but also to trust-building in the federal election process. A civil society research participant summarized:

If the federal government cannot hold district-level elections in the Banadir region, it cannot convince me that it can hold elections nationwide.

Some of the election-related political and technical challenges can also be addressed at the less contested elections at the FMS level. For example, the highly political and technical issues including seat allocation and voter registration might be better solved at the federal state level than at the more contested federal level.

How Can Local Elections Best Be Implemented?

As rightly stated by one research participant, ‘elections are *firstly political and secondly technical*’. For local elections to be successful, potential political and practical challenges that could delay elections or make them less democratic (free, fair, transparent, and verifiable) must be addressed.

On the political level, the leadership of the federal government and member states must recognize the value of holding local elections in good time in order to ensure peaceful federal elections by 2026. This implies that they should make it easier for local institutions to perform their election responsibilities. International partners can also help to provide the necessary political support. The electoral commission, the constitutional court, and the security agencies responsible for elections are among the institutions that require political support. It is important to spare these institutions from political pressure and manipulation that can weaken trust in these key institutions.

Furthermore, it is critical to address political factors that have traditionally posed challenges to the implementation of elections at both state and federal levels. These include the reluctance of leaders to hold elections or the manipulation of the election process in service of leaders’ political interests. These challenges can be managed through the political commitment of state leaders, the federal government, and international partners to transition FMS and the federal government to successful multiparty elections.

On the practical front, it is essential for the FMS and the federal government to collaborate and support each other in managing technical issues of electoral processes. It is imperative not to overlook the reality that the current generation

of Somalis, both civilians and political leaders, lack the necessary expertise to hold democratic elections. This is not due to a lack of theoretical knowledge of elections, but rather a substantive lack of actual practical experience in election administration and conflict-managing procedures. One key technical issue that needs consideration is the establishment of an electoral infrastructure – such as voter registration, election boundaries and legal frameworks – that should facilitate free, fair and transparent elections. Establishing the election infrastructure is critical and should be funded and supported appropriately at the state level.

Recommendations

- It is imperative that the leadership of the federal government of Somalia make holding a direct election by 2026 a top priority and initiate the process earlier. By acting on this priority now, they will have sufficient time to plan, negotiate and resolve any concerns pertaining to the political, legal, or technical aspects of the exercise.
- Prior to the federal elections in 2026, the state and federal and international stakeholders need to collaborate on the implementation of elections (district, parliamentary and presidential) at the level of the federal member states, so that political and technical issues are addressed at the state level while also preparing for federal elections.
- At state and federal levels, genuine reform of electoral institutions is critical for gaining the trust of political stakeholders. Such reform should involve re-structuring these institutions so that they become immune to political interference. It is also critical to foster constructive collaboration between federal and local electoral agencies.

- At state and federal levels, election days should be specified and respected. This will serve as a solution to the repeated office term extensions and disputes witnessed in previous years. ■

Notes

1. Mohamud Ali (2022) Somalia’s elections - where the people don’t vote, *BBC News*, 14 April. Available at: www.bbc.com/news/world-africa-61083959.
2. Ludger Schadomsky (2016) Expectations and reality clash ahead of Somali elections, *Deutsche Welle*, 23 September. Available at: www.dw.com/en/expectations-and-reality-clash-ahead-of-somali-elections/a-19568964.

Further Reading

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